

REMARKS

This paper responds to the Office Action mailed on December 8, 2005, and the references cited therewith. Claims 6, 10, 12, 31 and 34 are amended and claims 8, 9 and 33 are canceled such that claims 6-7, 10-12, 14-16, 29-31, 34 and 36 are now pending in this application. Support for the amended claims is found in FIGS. 3-6 of Applicant's specification.

Interview Summary

Applicant thanks Examiner Roane for his courtesy during the telephone interview held on January 24, 2006 with Applicant's representative, Andrew R. Peret. Examiner Roane discussed the amended claims and cited references with Applicant's attorney. Examiner Roane indicated that the amended claims appear overcome the pending rejection but indicated that further searching and reconsideration would be required.

Reconsideration and allowance of claims 6-7, 10-12, 14-16, 29-31, 34 and 36 are respectfully requested.

§103 Rejection of the Claims

Claims 6-12, 14-16, 29-31, 33 and 36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Dunshee et al. (US 4,462,224) in view of Sabin (US 6,099,555) in view of Avery (US 5,486,206). As discussed during the interview, Sabin and/or Avery do not appear to disclose:

“a membrane segregating said liquid from said solute” in combination with “said absorbent core being formed at least partially of a sheet-like fibrous material that includes fibers which retain said endothermic solution within said enclosure . . . , said membrane segregating said absorbent core from said solute” as recited in claim 6; or

“a membrane segregating said liquid from said solute” in combination with “said absorbent core being formed at least partially of a sheet-like fibrous material that includes fibers which retain said endothermic solution within said enclosure . . . , said membrane segregating said absorbent core from said solute” as recited in claim 12.

Reconsideration and allowance of claims 6-7, 10-12, 14-16, 29-31, 34 and 36 are respectfully requested.

Reservation of Right to File Continuation or Divisional Applications

Applicant respectfully traverses the rejection listed above and reserves the right to reintroduce any claims their original form in one or more continuation or divisional applications at a later date.

Reservation of Right to Swear Behind References

Applicant reserves the right to swear behind any references which are cited in a rejection under 35 U.S.C. §§102(a), 102(e), 103/102(a), and 103/102(e). Statements distinguishing the claimed subject matter over the cited references are not to be interpreted as admissions that the references are prior art.

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CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (262) 646-7009 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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Date 1/24/06

By Andrew R. Peret
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 24 day of January, 2006.

CANDIS BUENDING

Name

Signature

Candis Buending